

Pecyn Dogfen Gyhoeddus



Swyddog Cyswllt:
Maureen Potter 01352 702322

At: Robert Dewey (Cadeirydd)

Cynghorwyr: Patrick Heesom, Paul Johnson a Arnold Woolley

Aelodau Cyfetholedig:

Jonathan Duggan-Keen, Phillipa Earlam, Julia Hughes a Kenneth Molyneux

Dydd Mawrth, 28 Ionawr 2020

Annwyl Gynghorydd

Fe'ch gwahoddir i fynychu cyfarfod Pwyllgor Safonau a gynhelir yn 6.30 pm Dydd Llun, 3ydd Chwefror, 2020 yn Ystafell Bwyllgor Clwyd, Neuadd y Sir, Yr Wyddgrug CH7 6NA i ystyried yr eitemau canlynol

Sylwch bydd sesiwn gyflwyno i aelodau'r Pwyllgor Safonau i groesawu'r aelod annibynnol newydd yn cael ei chynnal rhwng 6.00pm a 6.30pm.

R H A G L E N

1 YMDDIHEURIADAU

I dderbyn unrhyw ymddiheuriadau.

2 DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)

I dderbyn unrhyw ddatganiad o gysylltiad a chynghori'r Aelodau yn unol a hynny.

3 COFNODION (Tudalennau 3 - 10)

I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 2 Rhagfyr 2019 a 6 Ionawr 2020.

4 **GODDEFEBAU**

Derbyn unrhyw geisiadau am oddefebau.

Bydd aelodau'r wasg / y cyhoedd yn gallu aros yn yr ystafell tra bydd cais am ryddhad yn cael ei gyflwyno i'r Pwyllgor a bydd yn gallu dychwelyd i glywed penderfyniad y Pwyllgor. Fodd bynnag, o dan Baragraff 18C Atodlen 12A Deddf Llywodraeth Leol 1972 bydd y Pwyllgor yn gwahardd y wasg a'r cyhoedd o'r cyfarfod tra bydd yn ystyried unrhyw gais am ryddhad.

5 **CYSWLLT AR FATERION MOESEGOL GYDA'R CYNGOR** (Tudalennau 11 - 14)

Derbyn adborth am y cyfarfod rhwng Cadeirydd ac Arweinydd y Cyngor a Chadeirydd ac Is-Gadeirydd y Pwyllgor

6 **FFORWM PWYLLGOR SAFONAU GOGLEDD A CHANOLBARTH CYMRU** (Tudalennau 15 - 16)

I ymateb i'r e-bost sydd ynghlwm.

7 **MATERION YMDDYGIAD YN DILYN YR ETHOLIAD** (Tudalennau 17 - 20)

Ystyried unrhyw gŵyn foesebol yn dilyn yr etholiad diweddar

8 **RHAGLEN GWAITH I'R DYFODOL** (Tudalennau 21 - 24)

Er mwyn i'r Pwyllgor ystyried testunau i'w cynnwys ar y Rhaglen Gwaith i'r Dyfodol.

9 **GWRANDAWIAD GERBRON PANEL DYFARNU CYMRU** (Tudalennau 25 - 28)

Derbyn diweddariad ar ganlyniad gwrandawriad diweddar Panel Dyfarnu Cymru mewn perthynas â'r Cynghorydd A Shotton

Yn gywir



Robert Robins
Rheolwr Gwasanaethau Democraidd

Eitem ar gyfer y Rhaglen 3

STANDARDS COMMITTEE **2 DECEMBER 2019**

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 2 December 2019

PRESENT: Rob Dewey (Chairman)

Councillors:

Patrick Heesom, Paul Johnson and Arnold Woolley

Co-opted members:

Jonathan Duggan-Keen, Julia Hughes and Ken Molyneux

APOLOGIES: Phillipa Earlam, and Monitoring Officer

IN ATTENDANCE:

Deputy Monitoring Officer and Democratic Services Officer

45. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

46. MINUTES

The minutes of the meeting held on 4 November 2019 were submitted.

Accuracy

Page 5, minute 41, Julia Hughes asked that the second paragraph be amended to read that she had 'referred to an investigation involving a member of Prestatyn Town Council'.

RESOLVED:

That subject to the above amendment the minutes be approved and signed by the Chairman as a correct record.

47. DISPENSATIONS

None.

48. FEEDBACK FROM TOWN AND COMMUNITY COUNCILS ON INDEPENDENT MEMBER VISITS

The Deputy Monitoring Officer introduced a report to provide feedback from Town and Community Councils on the visits undertaken by Independent Members. He advised that nine responses had been received and were summarised in the appendix to the report. Overall the feedback was positive

and a number of suggestions had been made by the Councils, as detailed in the report, to further improve processes.

The Deputy Monitoring Officer said that Town and Community Councils reported that they found the programme of visits valuable and had provided changes for the better in some practices. The Committee was asked to consider the comments appended to the report and if they wished to adopt any further suggestions or amend existing processes.

Councillor Patrick Heesom congratulated the Chief Officer, Deputy Monitoring Officer and Independent Members of the Committee on the success of the programme which he said had worked well and was an exemplar of good practice to be adopted by other authorities.

Councillor Arnold Woolley referred to the suggestion that the Committee might consider reviewing Town and Community Council websites for completeness and provide feedback if mandatory information was missing. He spoke in support of the need for advice and guidance to be provided to Town and Community Councils to ensure their websites were compliant with statutory requirements, commenting on compliance with the Equality Act as an example.

Julia Hughes emphasised the importance of key information being made available to the general public on all Town and Community Council websites on the dates and times of meetings, venue, agenda, minutes and reports. She also spoke in support of the need for advice and guidance to be provided to ensure Town and Community Councils were compliant with regulatory requirements. She referred to the recommendation in the report that checks be undertaken on Town and Community Council websites and suggested that preparatory work for this be included as an item on the Forward Work Programme and a list of the requirements be provided to assist Independent Members to undertake the checks.

Councillor Paul Johnson suggested that it would be useful if Town and Community Councils could provide data on their website usage.

Councillor Patrick Heesom commented on the need for contact details for Clerks of Town and Community Councils to be made available on websites but said their personal home address should be anonymised.

Ken Molyneux referred to the feedback from Nannerch Community Council which had been helpful and drew attention to the comments regarding attendance at meetings of the Standards Committee, opportunities for feedback, and 'right of reply'. The points raised were acknowledged and the Committee commented that in addition to the written feedback provided to Town and Community Councils following meetings there was also an opportunity to hear verbal feedback at the meetings of the Standards Committee which were public meetings and to raise questions or concerns at the joint meeting of the Standards Committee and Town & Community Council representatives. To provide the best support to Town and Community Councils it was felt that it may not be appropriate to provide immediate verbal feedback at a meeting.

The recommendations were moved by Councillor Arnold Woolley and seconded by Jonathan Duggan-Keen. It was agreed that the word 'inspections' in the second recommendation be changed to read 'visits'.

RESOLVED:

- (a) That the Committee organises a rota of checks on Town and Community Council websites;
- (b) That the process for future visits should include an opportunity for Councils to respond to feedback; and
- (c) That Town and Community Councils be thanked for their feedback and participation in the process

49. FORWARD WORK PROGRAMME

The current Forward Work Programme was considered. Julia Hughes said that an item to provide feedback on the meeting held on 18 November with the Leader and Chair of the Council and the Chair and Vice Chair of the Standards Committee was to be scheduled on the Programme.

Councillor Arnold Woolley referred to the current vacancy for an Independent Member and with a view to interviews being held at the end of the year he suggested that an update be included as an item on the Programme in the New Year.

In response to a query from Julia Hughes, the Deputy Monitoring Officer confirmed that following publication of the next PSOW Code of Conduct Casebook a report would be submitted to the Committee.

Julia Hughes suggested that feedback on the checks undertaken on Town and Community Council websites be scheduled on the Programme for future meetings of the Committee.

RESOLVED:

That the Forward Work Programme be noted.

50. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the public in attendance.

(The meeting started at 6.00pm and ended at 6.35pm)

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Chairman

Mae'r dudalen hon yn wag yn bwrpasol

STANDARDS COMMITTEE
6 JANUARY 2020

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 6 January 2020

PRESENT: Robert Dewey (Chair)

Councillors:

Patrick Heesom and Arnold Woolley

Co-opted member:

Julia Hughes

APOLOGIES: Ken Molyneux

ALSO PRESENT: Mark Morgan (as observer)

IN ATTENDANCE:

Monitoring Officer and Democratic Services Officer

51. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

52. DISPENSATIONS

The Monitoring Officer presented the following dispensation request for consideration.

Councillor Clive Carver

As Councillor Carver was not in attendance the Monitoring Officer introduced the dispensation request. He advised that Councillor Carver sought dispensation to write to or speak with officers and to write to, speak and/or answer questions at Council/Committee meetings on matters relating to the Old Brewery, Ryeland Street, Shotton. Councillor Carver, as the Local Member for Hawarden, wished to represent two residents living within his Ward who were also family members and owners of the Old Brewery which had been leased by Flintshire County Council for the past 10 years. The Monitoring Officer referred to the prejudicial interest, as detailed on the application, and explained that as a County Councillor, Councillor Clive Carver was unable to provide assistance on this matter without a Dispensation and felt that his relatives were disenfranchised from representation by their Local Member; a task he could undertake for any of his constituents. The Monitoring Officer drew attention to details of the same request which had been previously considered by the Committee on 13 September 2010, and advised that a dispensation had been granted but had now lapsed.

The Monitoring Officer advised that Councillor Carver was applying for dispensation to make representations on behalf of his constituents, and cited the relevant criteria of (d) (f) and (j) under the Code of Conduct.

During discussion the Monitoring Officer responded to the comments raised by members around the need to maintain public confidence in the ethical procedures of the Council. Julia Hughes suggested that another County Councillor could be asked to represent the residents in this matter in place of Councillor Carver.

Councillor Arnold Woolley proposed that the dispensation be granted so that Councillor Clive Carver could write to or speak with officers to make representation on behalf of his family members. The dispensation to be granted for 12 months, ceasing on 5 January 2021. The proposal was seconded by Julia Hughes.

RESOLVED:

That Flintshire County Councillor Clive Carver be granted dispensation under paragraphs (d) (f) and (j) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to write or to speak with officers to represent his family members who live in Hawarden in matters relating to the Old Brewery, Ryeland Street, Shotton. This allows for making verbal and written communications on the matter to officers of Flintshire County Council provided there is at least one witness when speaking to officers, thereby ensuring that there are at least three people involved in the conversation which is formally minuted. The dispensation to be granted for 12 months, ceasing on 5 January 2021.

53. FORWARD WORK PROGRAMME

The current Forward Work Programme was considered. It was agreed that an item on Code of Conduct issues (which may have arisen from the Election period) and an item on Liaison with the Council on Ethical issues (feedback from the forthcoming meeting with the Leader and Chair of the Council) would be included on the Programme for consideration at the next meeting on 3 February 2020. It was also agreed that the item on Confidential Reporting Procedure which was scheduled for the next meeting would be deferred to a future meeting of the Committee.

It was agreed that the Monitoring Officer would put forward an item to the next meeting of the Committee looking at creating a sub-committee to enable the Standards Committee to consider urgent requests for dispensations that arise between the scheduled meetings of the Committee.

RESOLVED:

That the Forward Work Programme be noted.

54. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the press or public in attendance.

(The meeting started at 6.00 pm and ended at 6.38 pm)

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Chair

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 5



STANDARDS COMMITTEE

Date of Meeting	Monday, 3 February 2020
Report Subject	Liaison on Ethical Issues with the Council
Report Author	Chief Officer, Governance

EXECUTIVE SUMMARY

At its November meeting, the Committee, following a best practice recommendation with the report of the Committee on Standards In Public Life on the standards regime in England, agreed that the Chair and Vice Chair of the Committee would meet 6 monthly with the Leader and Chair of Council.

The first such meeting took place in November. Discussion at the meeting covered, amongst other things, the recent work of the Committee and behaviour within the Council. All parties felt the meeting was productive and agreed that -

- 1) the Independent Members should visit Full Council and Committee meetings to observe in the same way as they had attended Town and Community Council meetings; and
- 2) that such meetings should, in future, include group leaders.

RECOMMENDATIONS

1	That Independent Members should observe Full Council and Committee meetings, and that the Democratic Services Team Leader (Committees) arrange a rota of visits with Independent Members.
2	That future ethical liaison meetings should include Group Leaders.

REPORT DETAILS

1.00	EXPLAINING THE ETHICAL LIAISON MEETING
1.01	The Committee on Standards in Public Life, in its report on ethical arrangements in England, made a best practice recommendation that there should be meetings with senior Councillors to discuss standards. The Committee agreed that the Chair and Vice Chair of the Committee should meet the Leader and the Chair of Council.
1.02	The first such meeting took place in November. The Chair and Vice Chair of the Committee will be able to feedback their impression of the meeting but in summary it covered the recent work of the Committee and behaviour within the Council as a whole. The discussion was positive and it was agreed that - <ul style="list-style-type: none"> 1) Independent Members should observe Full Council and Committee meetings; 2) future liaison meetings should include the Group Leaders.
1.03	The Council has 6 Overview and Scrutiny Committees, the Audit Committee, Planning Committee and Licensing Committee. It also meets periodically as Full Council where all members attend and are able to participate. It has a number of employment Committees that meet only when required. <p>Council and Committee meetings are generally open to the public, so Independent Members will be able to attend. They may occasionally transact business in private when the legislative pre-conditions are met and Independent Members would not be able to remain during those parts of the meeting. Full Council and Planning Committee meetings (plus any other public meetings which take place in the Council Chamber) are webcast and can be viewed in full on line.</p>
1.04	As with the visits to Town and Community Councils, it is important to approach such an exercise in the correct way. The chair of each Committee should be informed that an Independent Member will be visiting their meeting. It is not uncommon for the public to visit certain meetings so the identity of the Independent Member and the purpose of their visit need not be publicly explained. Independent Members should not participate in meetings and should simply observe and feedback to this Committee. The Team Leader Democratic Services (Committees) can prepare a rota of visits for Independent Members to see the Overview and Scrutiny Committees, the Planning Committee, Audit Committee and Full Council.
1.05	The arrangements for Council and Committee meetings at the County Council are all well publicised and typically take place at County Hall. The matters to be observed by Independent Members will therefore need to be different. Rather than commenting on the ease of public access, they should be looking to see whether the Councillors attending meetings follow the Code of Conduct, the Flintshire Standards, the Member/Officer Protocol and, at Planning Committee, the Planning Protocol.

2.00	RESOURCE IMPLICATIONS
2.01	Travel allowance will be payable for attendance as observers.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	Observation of Council or behaviour by Independent Members will help to inform the work of the Committee and may help to reduce the risk of any poor behaviour either at the meeting or in future.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Code of Conduct for Councillors The Flintshire Standard Member/Officer Protocol Planning Protocol</p> <p>Contact Officer: Gareth Owens, Chief Officer, Governance Telephone: 01352 702344 E-mail: Gareth.Legal@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	None.

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6

Email sent on behalf of Stephan Hays, Chair Standards Committee, Powys County Council

Dear Monitoring Officer,

As you will recall at the meeting of the above in June, it was suggested that Powys County Council should host the next meeting of the above. After discussion with our Monitoring Officer, Clive Pinney, the Standards Committee considered this at its meeting in October. At this meeting it was agreed that due to budget constraints the meeting would be held in the Council office in Welshpool. The Forum meeting will start at 9.30 a.m. and finish at 1.00 p.m. with only refreshments being provided for the meeting.

On reviewing the minutes of the last two Forum meetings, I note that in June 2018 it was: RESOLVED to ask everyone to consult with their Standards Committees regarding potential items for the next meeting and feedback any suggestions, through the Monitoring Officer, to the next host authority.

So the purpose of emailing you is twofold. I would be grateful if you could:

- i) consult with your Standards Committee regarding potential items for the next meeting and feedback any suggestions to Carol Johnson, Democratic Services Officer. Carol will then collate these and liaise with Clive and
- ii) advise us on your preference for the timing of the next meeting. Do you want this to take place in March or April?

I would be grateful if you could respond by 28 January, 2020.

I look forward to hearing from you.

Yours sincerely,
Stephan Hays, Chair Standards Committee

Carol Johnson
Democratic Services Officer / Swyddog Gwasanaethau Democraidaidd

Cyngor Sir Powys / Powys County Council
Neuadd y Sir / County Hall
Llandrindod Wells, Powys, LD1 5LG

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 7



STANDARDS COMMITTEE

Date of Meeting	Monday, 3 February 2020
Report Subject	Conduct Issues arising from the Election
Report Author	Chief Officer, Governance

EXECUTIVE SUMMARY

A parliamentary election took place in December 2019. Inevitably, as this was a general election, the Council only had a role to support the Returning Officer in administering the voting process. Therefore, the Council (as a corporate body) and County Councillors were not directly involved in the election. Many Councillors are active members of political parties, and so campaign/canvass on behalf of those parties as private individuals.

In the run up to the election, the Council operated its pre-election protocol ("PEP") in order to minimise the risk of problems or difficulties. The election campaign was well run by all candidates and parties with no incidents of poor behaviour by County Councillors or any-one else.

RECOMMENDATIONS

1	That the Committee notes the report.
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REPORT DETAILS

1.00	Explaining the Election Process
1.01	On the 12 th December 2019, there was a parliamentary or general election. The titular Returning Officer for parliamentary elections is the High Sheriff though it is customary for the High Sheriff to leave the actual role to the Acting Returning Officer, who is the Chief Executive. The County Council must provide the Chief Executive with sufficient resources and support to fulfil the role.

1.02	The County Council and County Councillors have no role in organising a parliamentary election. Many Councillors are active in political parties and so campaign in their private lives on behalf of candidates. This is outside their role as Councillor.
1.03	The County Council is under a legal obligation pursuant to section 2 of the Local Government Act 1986 (as amended) not to issue any publicity that supports or appears to support any candidate or party in an election. The County Council therefore has a PEP that operates from the date when notice of election is published.
1.04	The PEP reminds officers of the need to ensure that the Council not only remains but also clearly remains impartial during an election. It includes advice about how to handle visits, press releases etc. During the campaign period the Council also carefully considers what matters it will debate in Committee or at Full Council meetings. Normal business will continue. Where the debate on an issue might be perceived as supporting the views/stance of one candidate/party or another then that item will be postponed until after the election. For example, during this election one Notice of Motion on the NHS was postponed for this reason.
1.05	In a general election the parties and candidates agree to follow nationally laid down codes of conduct that are, because they do not relate to Councillors, outside the remit of this Committee. All parties and candidates observed those codes of conduct and there were no problems during the campaign which was well-managed with thoughtful advice and proactive work to remove any risks.

2.00	RESOURCE IMPLICATIONS
2.01	None.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	The PEP manages the risk of officers or Councillors creating the impression that the Council supports the stance of any candidate or party.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>None.</p> <p>Contact Officer: Gareth Owens, Chief Officer, Governance Telephone: 01352 702344 E-mail: Gareth.Legal@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	None.

Mae'r dudalen hon yn wag yn bwrpasol

FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME 2019/20

Date of Meeting	Topic	Notes/Decision/Action
29 June 2020	<ul style="list-style-type: none"> • Training • Dispensations 	
1 June 2020	<ul style="list-style-type: none"> • Training • Dispensations • Protocol for Members in their dealings with contractors/developers. • Members Code of Conduct 	
27 April 2020	<ul style="list-style-type: none"> • Training • Dispensations 	
30 March 2020	<ul style="list-style-type: none"> • Training • Dispensations 	
2 March 2020	<ul style="list-style-type: none"> • Training • Dispensations • Sub-committee of the Standards Committee • Review of Member/Officer Protocol 	Report by Gareth Owens Report by Gareth Owens
3 February 2020	<ul style="list-style-type: none"> • Training • Dispensations • Hearing before the Adjudication Panel for Wales • Liaison on Ethical Issues with the Council 	Report by Gareth Owens and verbal update Report by Gareth Owens

Tudalen 21

Eitem ar gyfer y Rhaflen 8

	<ul style="list-style-type: none"> • Conduct Issues Arising from the Election • Standards Committee Forum for North & Mid Wales 	Report by Gareth Owens Verbal
6 January 2020	<ul style="list-style-type: none"> • Training • Dispensations 	
2 December 2019	<ul style="list-style-type: none"> • Training • Dispensations • Overview of All Visits to Town and Community Councils – final report 	Report by Gareth Owens
4 November 2019	<ul style="list-style-type: none"> • Training • Dispensations • Liaison with the Council on Ethical Issues • PSOW Code of Conduct Casebooks Issue 21 April to June 2019 and Issue 22 July to September 2019 	Report by Gareth Owens Report by Matt Georgiou
30 September 2019 Joint Meeting with T&CC	<ul style="list-style-type: none"> • Training • Dispensations • Town and Community Council Visits by Independent Members • Overview of All Visits to Town and Community Councils • The Role of a Councillor • Items raised by Town and Community Councils 	Verbal Update Report by Gareth Owens Report by Robert Robins/Gareth Owens
2 September 2019	<ul style="list-style-type: none"> • Dispensations 	Verbal update

	<ul style="list-style-type: none"> • Town and Community Council Visits by Independent Members • Review of the Flintshire Standard • Feedback from the North and Mid Wales Standards Forum • Update on Community Asset Transfers • PSOW Code of Conduct Casebook Issue 20 (Jan 19 – March 19) 	<p>Report by Gareth Owens Report by Gareth Owens/Matt Georgiou</p> <p>Report by Gareth Owens</p> <p>Report by Matt Georgiou</p>
<p>To be scheduled –</p> <p>Annual Report of the Adjudication Panel for Wales – report not yet published (Oct 19) Information on the dispensations process at Gwynedd Council and Wrexham County Borough Council. Item to consider the frequency of reporting on the Overview of Ethical Complaints. Code of Conduct complaints in Flintshire. Confidential Reporting Procedure</p>		

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 9



STANDARDS COMMITTEE

Date of Meeting	Monday, 3 February 2020
Report Subject	Hearing before the Adjudication Panel for Wales
Report Author	Chief Officer, Governance

EXECUTIVE SUMMARY

At the time of writing, a hearing will take place before a Case Tribunal in respect of Cllr A Shotton between 27th and 29th January 2020. Legislation requires the Committee to consider any recommendation made by case tribunal. It is also good practice to consider the evidence before and findings of any case tribunal in case they reveal a need for the Council to amend its protocols or procedures.

The Monitoring Officer or his deputy will be present at the hearing and will share with the Committee an overview of the hearing and any relevant findings. Parts of the hearing will take place in private. It would not be appropriate to relay to the Committee any evidence given in private (even in summary form) in order to preserve the confidentiality of the hearing, but it may be necessary for the Committee to consider the issues arising from that evidence in private.

RECOMMENDATIONS

1	That the Committee considers and responds to any recommendations that may be made by the Case Tribunal.
2	That the Committee considers any changes to the Council's protocols or procedures that may be prudent in light of the hearing.

REPORT DETAILS

1.00	RESPONSE TO CASE TRIBUNALS
1.01	When the Public Services Ombudsman for Wales (“PSOW”) determines that there is evidence a Councillor may have breached the Code of Conduct, one of the statutory options open is to refer the matter to the Adjudication Panel for Wales (“APW”). The APW will then arrange for the matter to be heard by a case tribunal consisting of 3 people, at least one of whom will be legally qualified.
1.02	At the time of writing, a case tribunal has been arranged in respect of allegations that Cllr A Shotton has breached the Code of Conduct, and a hearing will take place at Llandudno Magistrates Court between 27th and 29th January 2020. Following such a hearing the case tribunal can make statutory recommendations to the Standards Committee, which it must consider and to which it must provide a formal response. It is also good practice to consider the evidence that was heard by a case tribunal and any findings it makes in case they point to potential improvements in or opportunities to strengthen the Council’s protocols and procedures.
1.03	The Monitoring Officer (or deputy) must attend throughout the hearing in order to assist the case tribunal, and will be able to report a summary of the hearing to the Committee. Some evidence may be given to the case tribunal in private. Evidence heard in private will not be relayed to the Committee even in summary form. If it is essential to consider changes to protocols, arising out of matters that have been heard in private by the case tribunal, then the Committee will also need to consider the issue in private in order to preserve the confidentiality of the hearing.

2.00	RESOURCE IMPLICATIONS
2.01	At this stage there are no resource implications arising from the report other than the need for the Monitoring Officer and other witnesses to attend the hearing. There may be implications arising from the evidence/findings of the case tribunal.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	Considering the evidence and findings of the case tribunal may enable the Council to address any flaws in its existing protocols/procedures or to address any flaws in them.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None. Contact Officer: Gareth Owens, Chief Officer, Governance Telephone: 01352 702344 E-mail: Gareth.Legal@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None.

Mae'r dudalen hon yn wag yn bwrpasol